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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL THOMAS PROCTOR,

Defendant.

) No. 3:20-cr-00018-TMB-DMS

)

) COUNTS 1-4:

) DISTRIBUTION OF

) METHAMPHETAMINE

) Vio. of 21 U.S.C. § 841(a)(1) and

) (b)(1)(A), (B), and (C)

)

) COUNTS 5-10:

) FELON IN POSSESSION OF

) FIREARMS AND AMMUNITION

) Vio. of 18 U.S.C. §§ 922(g)(1) and

) 924(a)(2)

)

) COUNTS 11-13:

) CARRYING A FIREARM DURING

) DRUG TRAFFICKING CRIME

) Vio. of 18 U.S.C. § 924(c)(1)(A)(i)

)

) ENHANCED STATUTORY

) PENALTIES ALLEGATION:

) 21 U.S.C. § 841(b)(1)(A) and (B)

)

)

) CRIMINAL FORFEITURE
) ALLEGATION 1:
) 21 U.S.C. § 853
)
) CRIMINAL FORFEITURE
) ALLEGATION 2:
) 18 U.S.C. § 924(d) and 28 U.S.C.
) § 2461(c)
)

INDICTMENT

The Grand Jury charges that:

COUNTS 1-4

On or about the dates listed below, within the District of Alaska, the defendant, MICHAEL THOMAS PROCTOR, did knowingly and intentionally distribute controlled substances, as described below:

Count	Date	Substance
1	September 4, 2019	50 grams or more of pure methamphetamine
2	September 27, 2019	Methamphetamine
3	October 16, 2019	Methamphetamine
4	December 12, 2019	5 grams or more of pure methamphetamine

All of which is in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A), (B), and (C).

COUNTS 5-10

On or about the dates listed below, within the District of Alaska, the defendant, MICHAEL THOMAS PROCTOR, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, the following firearms and ammunition:

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Count	Date	Firearm/Ammunition
5	September 4, 2019	<ul style="list-style-type: none"> • Glock model 21 .45 ACP semiautomatic pistol • 45 ACP ammunition
6	September 20, 2019	<ul style="list-style-type: none"> • Aero Precision X-15 .223 Remington semiautomatic rifle
7	October 16, 2019	<ul style="list-style-type: none"> • Springfield Armory XDM .45 ACP semiautomatic pistol • Ruger New Blackhawk .41 Magnum revolver • Glock 43 9mm parabellum semiautomatic pistol
8	October 25, 2019	<ul style="list-style-type: none"> • Winchester 1894 .32-40 Winchester lever-action rifle • Winchester 94 .30-.30 Winchester lever-action rifle • Ruger Mini 14 .223 Remington semiautomatic rifle
9	November 12, 2019	<ul style="list-style-type: none"> • Smith & Wesson 581 .357 Magnum revolver • Ruger SR1911 .45 ACP semiautomatic pistol
10	December 12, 2019	<ul style="list-style-type: none"> • Beretta PX4 Storm .40 S&W semiautomatic pistol • Ruger SR22 .22LR semiautomatic pistol • Ruger P89 9mm parabellum semiautomatic pistol

Convictions

Date	Offense	Court	Case No.
June 24, 2013	Assault in the Third Degree	Superior Court for the State of Alaska	3AN-12-08736CR
June 11, 2012	Misconduct Involving a Controlled Substance in the Fourth Degree	Superior Court for the State of Alaska	3AN-11-13677CR
August 21, 2009	Misconduct Involving a Controlled Substance in the Fourth Degree	Superior Court for the State of Alaska	3AN-09-06402CR

All of which is in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

COUNT 11

On or about September 4, 2019, within the District of Alaska, the defendant, MICHAEL THOMAS PROCTOR, did knowingly and intentionally use and carry a firearm during and in relation to the drug trafficking crime charged in Count 1.

All of which is in violation of 18 U.S.C. § 924(c)(1)(A)(i).

COUNT 12

On or about October 16, 2019, within the District of Alaska, the defendant, MICHAEL THOMAS PROCTOR, did knowingly and intentionally use and carry a firearm during and in relation to the drug trafficking crime charged in Count 3.

All of which is in violation of 18 U.S.C. § 924(c)(1)(A)(i).

COUNT 13

On or about December 12, 2019, within the District of Alaska, the defendant, MICHAEL THOMAS PROCTOR, did knowingly and intentionally use and carry a firearm during and in relation to the drug trafficking crime charged in Count 4.

All of which is in violation of 18 U.S.C. § 924(c)(1)(A)(i).

ENHANCED STATUTORY PENALTIES ALLEGATION

Before the defendant, MICHAEL THOMAS PROCTOR, committed the offenses charged in Count 1 and Count 4, he had a final conviction entered in the Superior Court of the State of Alaska in case 3AN-12-08736CR for a serious violent felony, Assault in the Third Degree in violation of Alaska Stat. § 11.41.220(a)(1)(B), for which he served more than 12 months of imprisonment.

All pursuant to 21 U.S.C. § 841(b)(1)(A) and (B).

CRIMINAL FORFEITURE ALLEGATION 1

Upon conviction for the offenses in violation of 21 U.S.C. § 841, set forth in Counts 1-4 of this Indictment, the defendant, MICHAEL THOMAS PROCTOR, shall forfeit to the United States any property constituting or derived from, and any proceeds obtained, directly or indirectly, as the result of such offenses, and any property used or intended to

be used, in any manner or part, to commit or to facilitate the commission of the offenses, including but not limited to:

- An Aero Precision X-15 .223 Remington semiautomatic rifle, serial number X011185;
- A Springfield Armory XDM-45 .45 ACP semiautomatic pistol, serial number MG518261;
- A Ruger New Blackhawk .41 Magnum revolver, serial number 41-16483;
- A Smith & Wesson 581 .357 Magnum revolver, serial number AAD3522;
- A Beretta PX4 Storm .40 Smith & Wesson semiautomatic pistol, serial number PY113930;
- A Ruger SR22 .22LR semiautomatic pistol, serial number 266-04559;
- A Ruger P89 9mm parabellum semiautomatic pistol, serial number 307-9066
- .45 ACP ammunition;
- 9mm parabellum ammunition; and
- .223 Remington ammunition.

All pursuant to 21 U.S.C. § 853.

CRIMINAL FORFEITURE ALLEGATION 2

Upon conviction for the offenses in violation of 18 U.S.C. §§ 922(g)(1), and 924(a)(2) and (c)(1)(A)(i), set forth in Counts 5-13 of this Indictment, the defendant, MICHAEL THOMAS PROCTOR, shall forfeit to the United States any firearms and ammunition used in knowing commission of the offense, including but not limited to:

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- An Aero Precision X-15 .223 Remington semiautomatic rifle, serial number X011185;
- A Springfield Armory XDM-45 .45 ACP semiautomatic pistol, serial number MG518261;
- A Ruger New Blackhawk .41 Magnum revolver, serial number 41-16483;
- A Smith & Wesson 581 .357 Magnum revolver, serial number AAD3522;
- A Beretta PX4 Storm .40 Smith & Wesson semiautomatic pistol, serial number PY113930;
- A Ruger SR22 .22LR semiautomatic pistol, serial number 266-04559;
- A Ruger P89 9mm parabellum semiautomatic pistol, serial number 307-9066
- .45 ACP ammunition;
- 9mm parabellum ammunition; and
- .223 Remington ammunition.

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All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

s/ James Klugman
JAMES KLUGMAN
Assistant U.S. Attorney
United States of America

s/ Bryan Schroder
BRYAN SCHRODER
United States Attorney
United States of America

Date: February 19, 2020